

# Agenda Item 8.

<b>TITLE</b>	<b>Gypsy and Traveller Local Plan Preferred Options Consultation</b>
<b>FOR CONSIDERATION BY</b>	The Executive on 28 May 2015
<b>WARD</b>	None Specific
<b>STRATEGIC DIRECTOR</b>	Heather Thwaites, Director of Environment
<b>LEAD MEMBER</b>	John Kaiser, Executive Member for Highways and Planning

## **OUTCOME / BENEFITS TO THE COMMUNITY**

Once adopted, the GTLP will ultimately ensure that the Council has allocated sufficient deliverable sites for Gypsies and Travellers and Travelling Showpeople, as well as providing criteria-based policies against which planning applications for sites can be judged. Having an up to date plan with allocated sites will reduce the likelihood of unauthorised Gypsy and Traveller sites in the Borough and will also enable the Council to take more effective enforcement action against any unauthorised development. The Preferred Options is a key stage in the development process of the plan and the GTLP will gain more weight as a material consideration in planning terms as it progresses toward adoption.

## **RECOMMENDATION**

The Executive is advised to:

- 1) approve the Gypsy and Traveller Local Plan Preferred Options for consultation for an eight week period together with publishing supporting documents;
- 2) authorise the Director of Environment, in consultation with the Executive Member for Strategic Planning and Highways, to agree minor modifications to the Gypsy and Traveller Local Plan Preferred Options and other supporting documents prior to consultation. (Any minor modifications would consist of non-material alterations such as rewording and correction of typing errors).

## **SUMMARY OF REPORT**

The Council is required by the National Planning Policy Framework (NPPF) to identify a rolling supply of Gypsy and Traveller sites. Site allocations have to be identified in a Development Plan (Local Plan). The Council has chosen to do this through a Gypsy and Traveller Local Plan (GTLP). In order to develop the GTLP it is necessary to consult on the options available to the Council in planning to meet the accommodation needs of the Gypsy and Traveller community.

This was previously carried out through the consultation on the GTLP Draft Options in August-October 2014. The responses to this consultation about how the needs of the Travelling community should be met and what criteria should be used to judge potential sites and future planning applications have now been considered and the GTLP Preferred Options document has been produced, which is the next stage in the process

of producing the GTLP. In addition, the GTLP Preferred Options is also informed by the findings of the updated Gypsy and Traveller Accommodation Assessment (GTAA) which will be published alongside the Preferred Options as a supporting document, together with Sustainability Appraisals of the options and sites.

The GTLP Preferred Options identifies the most suitable approaches to address various key issues that will be covered by the GTLP. It does not seek to allocate any sites. Officers are seeking authority to consult on the Preferred Options for an eight week period from 4<sup>th</sup> June to 30<sup>th</sup> July.

***Due to the size of the GTLP Preferred Options it is not included in the agenda. Copies can be found on the Council's website or on request from Democratic Services.***

## **Background**

The Gypsy and Traveller Local Plan (GTLP) is one of a number of important planning policy documents that make up the Development Plan for the Borough. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

In March 2012, the Government published Planning Policy for Traveller Sites (PPTS) alongside the National Planning Policy Framework (NPPF). The PPTS requires local authorities to identify a supply of specific deliverable sites (5 year supply) and developable sites or broad locations for growth (over a further 15 years) to meet locally set targets. Local authorities should also identify criteria to guide site allocations and help determine planning applications.

The Managing Development Delivery (MDD) Local Plan includes a criteria-based policy (TB10 'Traveller Sites') which sets out the overarching requirements for sites for Gypsies and Travellers and Travelling Showpeople but does not allocate sites. The GTLP will allocate sites and also enhance the Council's approach to Gypsy and Traveller provision through providing criteria-based policies to help manage development.

As part of the production of the GTLP, consultation took place on the Draft Sustainability Appraisal Scoping Report from 18<sup>th</sup> July to 23<sup>rd</sup> August 2013 and further consultation on the GTLP Draft Options from 7<sup>th</sup> August to 2<sup>nd</sup> October 2014. During both of these consultations, a 'Call for Sites' was also held to allow people to submit possible sites for Gypsy and Traveller provision.

The responses to the GTLP Draft Options consultation have been considered by officers and used to create the GTLP Preferred Options. A summary of these responses is included as part of the Background Papers.

The Council also commissioned an updated Gypsy and Traveller Accommodation Assessment (GTAA) to identify the need for Gypsy and Traveller sites for the period 2014 - 2029. This GTAA (March 2015) – which replaces the previous GTAA published in March 2013 – will ensure that the GTLP is based on robust and credible evidence. The GTAA March 2015 has informed the preparation of the GTLP Preferred Options and will be published alongside it as a supporting document.

## **Analysis of Issues**

The GTLP Preferred Options is a key stage in the process of production of a Local Plan to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in Wokingham Borough. It focuses on the preferred methods and approaches for how need should be met – including the most suitable geographical location of Traveller sites and how large sites these should be - and the more detailed aspects that should be considered when dealing with Gypsy and Traveller development (such as site layout, landscaping and amenity buildings). The Preferred Options focuses on flexible approaches to addressing issues so that the Council does not limit its capacity to adapt to potential changes in future.

Two Sustainability Appraisals – one of the options and one of all the sites in the Borough (including suggested sites) - will also be published as background documents.

The public will be able to make comments on these, but it should be noted that the Sustainability Appraisal of the sites does not form part of the main Preferred Options. Instead it is part of the preparatory work which is being published for information at this stage. No recommendations are made in the Sustainability Appraisal and no sites will be allocated as part of the Preferred Options – this will take place at the Proposed Submission stage which is planned for later in the year.

Consultation on the Preferred Options will be for eight weeks from 4<sup>th</sup> June to the 30<sup>th</sup> July.

**Risk Management**

The main risks relate to whether the GTLP can ensure a sufficient rolling supply of sites (including a 5 year supply) and whether the specific criteria will ensure that future Gypsy and Traveller development in the Borough is sustainable and of high quality to meet the needs of both Gypsy and Travellers and the settled community. Consultation on the GTLP Preferred Options will enable this risk to be managed by allowing the Council to refine considerations that will be used to assess the suitability of suggested sites prior to allocation in the GTLP, as well as informing the creation of specific criteria-based policies.

**Legal compliance**

In producing the GTLP Preferred Options, the Authority had to assess whether the document was compatible with the legal requirements associated with plans of the authority. This included the Town and Country Planning (Local Development) (England) Regulations 2012; the Environmental Assessment of Plans and Programmes Regulations 2004; the Conservation of Habitats and Species Regulations 2010; the Human Rights Act; compliance with Directives of the European Commission and subsequent UK Regulations and ensuring that no segment of the Borough’s community was likely to be unfairly penalised.

**FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1) 2015/16	£27,000 for consultation on the Preferred Options and Proposed Submission Document	Yes – the costs of producing the GTLP will be covered by the existing budget	Revenue
Next Financial Year (Year 2) 2016/17	£78,000 to carry out preparation for examination and examination. The timing of the		

	examination will depend on the Planning Inspectorate and could potentially run into 2017/18		
Following Financial Year (Year 3) 2017/18	£0 – although dependent upon Planning Inspectorate examination may fall into 2016/17 – costs and budget will be carried forward from 2016/17		

#### **Other financial information relevant to the Recommendation/Decision**

The table above sets out the specific project costs associated with producing the GTLP. This is a multi-year project and therefore the costs will be spread across a number of financial years, the exact timing of which will be subject to external influences such as the Planning Inspectorate's availability for the Public Examination.

#### **Cross-Council Implications**

Section 225 of the Housing Act 2004 requires local authorities (such as Wokingham Borough Council) to (1) carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their district and (2) prepare a strategy in respect of meeting such accommodation needs. The assessment of needs involved collaborative working between a number of corporate services who have involvement with the Gypsy and Traveller community, including Housing, Environmental Health and Development Management, as well as the Traveller Education Service. This ensured that information was available to develop an accurate assessment of the need for additional pitches in the Borough. This also enabled the different services to have an input into the areas that should be covered by the emerging GTLP in order to meet those needs.

#### **List of Background Papers**

- *Gypsy and Traveller Accommodation Assessment (GTAA) March 2015*
- *Sustainability Appraisal incorporating Strategic Environmental Assessment (SA including SEA) on Preferred Options and Sites (two documents), and Habitats Regulation Assessment (HRA)*
- *Consultation responses on the GTLP Draft Options*

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<b>Date</b> 11 May 2015	<b>Version No.</b> 1b

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